

Kentucky Citizen Foster Care Review Boards HandBook



**Working for
Kentucky's
Future ...
Our Children**

**KENTUCKY
FOSTER CARE REVIEW BOARDS
HANDBOOK**

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Citizen Foster Care Review Boards

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Information for this document taken in part from KRS Chapter 620.

Dear Volunteer:

You have made an invaluable contribution to the community by volunteering as a Foster Care Review Board member.



This handbook is designed to answer questions you may have regarding the processes and procedures governing the statewide Citizen Foster Care Review Boards program. I know you will find the information useful.

Your dedication to ensuring our future — our children, will not go unnoticed. I truly appreciate your time and efforts.

Sincerely,

A handwritten signature in black ink, which appears to read "Joe Lambert". The signature is fluid and cursive, with a large, sweeping initial "J".

Joseph E. Lambert
Chief Justice
Kentucky Supreme Court

Historical Overview

In 1982 permissive legislation was passed that allowed district judges to create review boards and provide information to board members that previously had been categorized as confidential.

In 1985 the permissive legislation became mandatory. Thus, review boards were established in every judicial district. Currently, there are over 140 citizen review boards in Kentucky.

In essence, these review boards audit case files pursuant to The Adoption and Safe Families Act of 1997 (ASFA) to ensure reasonable efforts are being made to provide permanent care for each child placed in a foster home or other out-of-home care.



Children In Out-of-Home Care

There are thousands of children placed in out-of-home care every year in Kentucky. Reasons for removing children from their homes include dependency, abuse, neglect, inability of parents to control a child, and voluntary commitment.

Your Role as a Local Foster Care Review Board Member

Volunteers review case files of approximately 7,000 children who are removed from their homes and placed in foster homes, child care facilities, or with relatives.

The purpose of these reviews is to guarantee that children receive adequate and appropriate services while in alternative placement and to ensure that every effort is being made to locate permanent placements for these children so they do not linger needlessly in the state foster care system.

This task is accomplished by reviewing case files, asking questions, making recommendations, and advocating for the best interests of the children. A copy of the case review form is forwarded to the district judge and the Cabinet for Families & Children team for their consideration.

Confidentiality

The need for confidentiality cannot be overstated when dealing with such sensitive issues as child abuse, neglect, and dependency. Each review board member must swear or affirm, in front of a member of the Court of Justice, to keep all case information secret and to discuss case records only with appropriate Cabinet for Families & Children employees, other local foster care review board members, district judges, CASA's (Court Appointed Special Advocates), Guardians ad litem, and the foster care review board staff in Frankfort.

The Rights of Children

It is generally believed that all children are entitled to, and require, safety, permanency, and stability. Children should be nurtured in an environment that not only provides for their most basic needs, but also encourages the achievement of each's child's greatest inherent potential.

In addition to the general rights accorded all children, Citizen Foster Care Review Boards advocate for the following specific rights for foster children:

1. To be placed in the least restrictive setting that meets the child's special needs and serves the child's best interest.
2. To be placed as close to her/his home as possible.
3. To receive a complete medical examination within two weeks of placement.
4. To have at least monthly visits from her/his social worker.
5. To be protected from further abuse, neglect, and dependency.
6. To be treated as a member of the foster family, and to be nurtured in accordance with her/his individual background, religious heritage, race, and culture.

7. To visit and communicate with members of her/his family as often as possible and as specified in the visitation contract.
8. To be involved, according to her/his age and ability, in managing personal resources, and making major decisions that affect her/his life.
9. To attend all treatment planning conferences if she/he is of appropriate age.
10. To have access to independent legal counsel.
11. To receive encouragement and opportunities to participate in sports and youth activities in school, faith community and the neighborhood, and to be treated as the equal of a child who resides with her/his own family.
12. To move from foster care into a permanent family as quickly as possible.



The Child's Concept of Time

Children experience the trauma of loss and separation when removed from their biological parents. Separation trauma is particularly acute in young children who are removed from their natural home environments. When a child enters foster care, the need for permanency and belonging is set aside in favor of the need for safety, but this separation from the parents must be as brief as possible to prevent additional damage to the child.

When you consider that the average length of time in foster care is 22 months and the average number of moves while in foster care is 1.9 moves per year, the potential danger to the child's sense of stability and permanency and to her/his ability to form permanent relationships, is apparent. The following chart indicates the maximum amounts of time a child can tolerate separation from parents before new psychological ties are formed.

Age of Child

Birth to 2 years

2 to 5 years

6 to 10 years

10 years to 14 years

Amount of Time

Several Days

1 week to 2 months

2 months to 6 months

6 months to 1 year

Beyond 14 years, children generally have an adult's sense of time and can tolerate longer periods of separation.

Role of the Cabinet for Families & Children

A. Investigations and Removal; District Court Proceedings

The cabinet is responsible for investigating any reports of abuse or neglect no later than 48 hours after receipt of a report. Where there are reasonable grounds to believe the child is in danger of imminent death or serious physical injury or is being sexually abused and the parents or persons exercising custodial control or supervision are unable or unwilling to protect the child, the district court may issue an **emergency custody order**. "The child's health and safety shall be the paramount concern."

Within 72 hours, exclusive of weekends and holidays, a **temporary removal hearing** must be held to determine whether reasonable efforts have been made by the cabinet to prevent removal.



If the court determines the child would be dependent, abused or neglected if returned to or left in the custody of the parent or person exercising custodial control, then temporary custody is granted to the cabinet. The temporary custody order is granted for a period of time not to exceed 45 days from the date of the child's removal from the home.

The adjudication hearing is held within this 45-day time period. The **adjudication hearing** determines the truth or falsity of the allegations in the complaint. Reasonable efforts must be made by the cabinet to reunite the family.

The **disposition** determines the action to be taken by the court on behalf of the child and the parents or persons exercising custodial control. If the court determines reasonable efforts have been made to prevent or eliminate the need for removal and that staying in the home would be contrary to the welfare of the child, then the child is committed to the cabinet.

The **commitment** maybe for an indefinite period of time not to exceed the child's eighteenth birthday. Commitment may be extended up to the age of 21 upon motion of the child and cabinet for the purpose of participating in educational programs or to establish independent living arrangements.

B. Conferences/Reviews



1. Initial - Within five working days of a child's removal from home, the initial permanency goal and treatment plan to be completed by the parent are established.

2. Administrative Reviews- Within six months of initial placement, and at least every six months until the child is released from commitment, an Administrative Review is held to determine whether the child can return home and, if not, what the Permanency Plan should be. Progress of the family is reviewed and treatment plans revised. Six-month Administrative Reviews are conducted only for children placed in out-of-home care. Administrative Reviews continue every six months until permanency is achieved. These reviews are sometimes referred to as "conferences" by the Cabinet for Families & Children case worker.

3. Permanency Planning Reviews - To assure the child's parents are given an opportunity to participate in decisions on the Permanency Plan and to assure that the Permanency Plan is implemented, a Permanency Planning Review, under the auspices of the court (P.L. 96-272), is required by the eighteenth month of placement, and is

required annually thereafter if the child has not achieved a permanent placement or has not otherwise exited foster care. The dispositional hearing may be held in court. Otherwise, the hearing is held before a delegated administrative body.

C. Permanency Plans

Permanency is defined by Kentucky law (KRS 620.020(6)) as “a relationship between a child and an adult that will last a lifetime, providing commitment and continuity in the child’s relationships and having a sense of belonging.” The Permanency Plan describes how permanency is to be achieved for each child individually.

1. Family Reunification

Safely reuniting the child with her/his natural family is always the most desirable goal. Helping to keep families together is a primary concern of Citizen Foster Care Review Boards and the Cabinet for Families and Children. The cabinet is obligated to try to accomplish this goal before considering other options.

2. Relative Placement/Kinship Care

Placement with relatives may be appropriate when the child cannot return to the parents and/or it is not in the child’s best interest to return home. This can only occur if a relative is available and is able to provide a permanent home.

3. Termination of Parental Rights (TPR) and Adoption

The goal of adoption is only considered when it is in the child’s best interest and all reasonable efforts have been made to reunite the family. Adoption is achieved only after parental rights are terminated, either voluntarily or involuntarily. In involuntary TPR cases, a pre-permanency planning meeting is held to assess the evidentiary matters of the case and the appropriateness of the plan. The

request for the involuntary TPR or Voluntary Termination Summary, is submitted within three weeks of the selection of adoption as the permanency goal.

4. Independent Living

When a child reaches the age of at least 16 and returning home or being adopted is not feasible, then an independent living program is considered. The process prepares the child for adulthood at the legal age of 18. A child's commitment may be extended by the district court, at the child's request, up to the age of 21 for the purposes of continuing educational programs or establishing independent living arrangements.

5. Planned Permanent Living Arrangement

This plan is appropriate when a child's circumstances will not allow for family reunification or adoption to occur. It is also appropriate when a child's special needs require placement in private child care. This plan is not appropriate for children under the age of 13, unless prior approval is given by the Director for Family Services.

D. Placement Options

A child placed in out-of-home care shall be placed as close to the child's home as possible, to the extent a placement is available. This makes visitation between the child and parent(s) more convenient. The placement should be the most family-like, least restrictive setting that meets the child's needs and interests. Options for placement are considered in this order:

1. Relative's home;
2. Foster home;
3. Private child care facility or group home; or
4. Psychiatric hospital or other treatment facility.

E. Services for Families

The services that the CFC can provide or make referrals to that assist families in reaching permanency goals include:

1. Psychiatric evaluation and treatment of parents and children;
2. Parenting skills classes;
3. Alcohol and drug treatment, counseling and rehabilitation (Al-Anon, AA);
4. Specialized day care;
5. Job counseling;
6. Housing assistance; and
7. Educational resources.

Conclusion



If you know of someone who would like additional information about becoming a member of your local foster care review board, contact your district judge or central office staff at the Administrative Office of the Courts, 100

Millcreek Park, Frankfort, KY 40601, 1-800-928-2350 or visit www.aoc.state.ky.us/familycourt/fcrb/htm.

CABINET FOR FAMILIES AND CHILDREN CASE FILE STRUCTURE

Although no two case files are the same, generally the information contained in a file will be organized as follows:



NOTE: File structure may vary by region, but most files are structured as shown here.

ABBREVIATIONS FOUND IN CASE FILES

ASAP	As Soon As Possible
Ackerly	Children's Inpatient Mental Clinic at Norton (Louisville)
ADM or AR	Administrative Review
ACLU	American Civil Liberties Union
ACCEPT	Program that helps families budget resources
AFDC	Aid to Families with Dependent Children
APS	Alternative Placement Service
ARC	Educational Meeting for Special Education Students
AWOL	Absent Without Leave
Bingham	In-& Out-Patient Mental Clinic for Children
BCP	Beyond Control Petition
BD	Behavior Disorder
BCG	Bingham Child Guidance
BF or B/F	Birth Father or Black Female
BH	Boys Haven (Louisville)
BM or B/M	Birth Mother or Black Male
BYC	Beyond (Parental) Control
CASA	Court Appointed Special Advocate
CC	Case Conference
CCC	Christian Children's Campus (Danville) or Community Correction Center
CCW	Child Care Worker
CD	Chemical Dependency
CFC	Cabinet for Families & Children
CIPP(CIP)	Children in Placement Project
CAPPS	Children with Alcoholic Parents Support Group
CEC	Child Evaluation Center
CP	Cerebral Palsy
CPS	Child Protective Services
CRC	Council for Retarded Citizens
CSH	Central State Hospital (Louisville)
CTC	Cardinal Treatment Center (Delinquent Boys & Girls)

CTS	Children's Treatment Services (Residential Mental Health)
CNY/CY	Children and Youth Clinic (University Hospital) (Louisville)
DH	Dispositional Hearing
DHR	Department for Human Resources (now CFC)
DOB	Date of Birth
DC	District Court/Detention Center
DSI	Department of Social Insurance
DSS	Department for Social Services
DHS	Department of Human Services (County Agency)
DUI	Driving Under Influence
DWI	Driving While Intoxicated
ECO	Emergency Custody Order
ED	Emotionally Disturbed
EAB	A CHR Accounting Code
EMCU	Exploited and Missing Children Unit
EMH	Educable Mentally Handicapped
ES	Elementary School
Danville	Structured residential home for children with behavior problems (Danville)
FAS	Fetal Alcohol Syndrome
FCA	Family Children's Agency (Counseling Service - private, nonprofit)
FC or F/C	Foster Child
FCW	Foster Care Worker
FF or F/F	Foster Father or Foster Family
FH or F/H	Foster Home
FIND	Families in Need of New Directions (Counseling)/Family Place
FM or F/M	Foster Mother
FOS	Field Office Supervisor
FP or FtP	Foster Parent
FSOS	Family Services Office Supervisor
FSW	Family Service Worker
GAL	Guardian Ad Litem (Child's Attorney)

GH	Group Home
GRBC	Green River Boys Camp
HAL	Housing Authority of Louisville
HOI	Home of the Innocents (Louisville)
HHLC	Humana Hospital Lake Cumberland (Somerset) (psychiatric evaluation)
HS	High School
HV	Home Visit
HY	History
IEP	Individualized Education Plan
ITP	Individualized Treatment Plan
JSW	Juvenile Service Worker
JTPA	Job Training Partnership Act
KCH	Kentucky Children's Home
KCPC	Kentucky Correctional Psychiatric Center
KMI	Kentucky Mental Institution
LD	Learning Disability
LDT	Louisville Day Treatment
LGH	Louisville Group Home
M/A	Maternal Aunt
MA (Card)	Medical Assistance Card or Medical Assistance
MASH	Metro Alternative Shelter House (Lexington)
MIW	Mental Inquest Warrant
MD	Muscular Dystrophy
MGF or M/G/F	Maternal Grandfather
MGM or M/G/M	Maternal Grandmother
MH	Mentally Handicapped
MO	Mother
MC	Mentally Challenged
MS	Middle School
MSSW	Master of Science - Social Work
M/U	Maternal Uncle
NA	Narcotics Anonymous/Not Applicable/Not Available
NHV	Negative Home Visit
NF or N/F	Natural (Birth) Father

NKYTC	Northern Kentucky Treatment Center
NM or N/M	Natural (Birth) Mother
OLDP	Our Lady of Peace Hospital (Louisville)
OTC	Owensboro Treatment Center
VNA	Visiting Nurses Association
WIC	Women, Infant & Children Program
7-Cs or SCS	Seven Counties
DSS 115	Abuse Investigation Form
DSS 161	Document Filed to Initiate TPR
DSS 195	Form Completed Before Foster Parent Adoption

For additional information about Kentucky's Citizen Foster Care Review Boards program, contact the Administrative Office of the Courts, 100 Millcreek Park, Frankfort, KY 40601, phone 1-800-928-2350 or visit our website at <http://www.aoc.state.ky.us/familycourt/fcrb.htm>.

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